



PATENT
Customer No. 58,982
Attorney Docket No. 08350.1767-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:

Dario SANSONE et al.

Application No.: 10/659,794

Filed: September 11, 2003

For: VEHICLE WITH RETRACTABLE
AND STEERABLE REAR WHEEL
(As Amended)

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) Group Art Unit: 3611
)
) Examiner: Kevin HURLEY
)
)
) Confirmation No.: 4545
)

Mail Stop: Reissue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REVISED REISSUE DECLARATION UNDER 37 C.F.R. § 1.175

I, Dario Sansone and I, Ubaldo Puglia, citizens of Italy, with residence and post office address as listed below, do hereby state and declare as follows:

1. We believe we are the original and first inventors of the subject matter which is described and claimed in United States Patent No. 6,286,615 B1, granted on September 11, 2001, and for which a reissue patent is sought on the invention entitled, "HEAVY VEHICLE FOR BREAKING UP GROUND WITH RETRACTING AND STEERING REAR WHEELS."

2. We claim priority under 35 U.S.C. Section 119 to Italian application VI99A000056, filed on March 23, 1999.

3. We hereby state that we have reviewed and understand the contents of the above-identified patent, including the original patent claims, and the changes to the specification and claims in the Preliminary Amendment filed on September 11, 2003, the Supplemental Preliminary Amendment filed December 22, 2003, the Reply to Office Action filed May 15, 2006, the Supplemental Reply to Office Action filed July 7, 2006 replacing the Reply to Office Action filed May 15, 2006, the Second Supplemental Reply to Office Action filed September 1, 2006 replacing the Reply to Office Action filed May 15, 2006 and the Supplemental Reply to Office Action filed July 7, 2006, the Reply to Office Action filed March 12, 2007, the Reply to Office Action filed October 2, 2007, and the Reply to Office Action filed herewith.


4. We acknowledge the duty to disclose information that is material to the patentability of this reissue application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).


5. We believe U.S. Patent No. 6,286,615 B1 to be, through error and without deceptive intent, at least partly inoperative by reason of our claiming less than we had a right to claim in the patent.

6. An error, which is a statutory basis for reissue, is that the claims are too narrow. Claims 1-11 of U.S. Patent No. 6,286,794 B1 do not cover the full breadth of our disclosed invention, and we erred by not pursuing during the original prosecution additional, broader claims. For example, issued claim 9 recited "said rear supports being pivotable about a rear vertical axis," and our patent protection need not be limited to such a recitation. For example, the limitation need only recite "at least one of said rear supports being pivotable about a rear vertical axis."

7. The error stated above and every other error in the patent which is corrected in this reissue application, that is not covered by a prior oath/declaration submitted in this reissue application, arose without any deceptive intent on the part of the applicant.

8. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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